

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALLEGHENY COUNTY EMPLOYEES')
RETIREMENT SYSTEM, EMPLOYEES')
RETIREMENT SYSTEM OF THE CITY)
OF BATON ROUGE AND PARISH OF)
EAST BATON ROUGE, DENVER)
EMPLOYEES RETIREMENT PLAN,)
INTERNATIONAL ASSOCIATION OF)
MACHINISTS AND AEROSPACE)
WORKERS NATIONAL PENSION FUND,)
and IOWA PUBLIC EMPLOYEES')
RETIREMENT SYSTEM, Individually and)
On Behalf of All Others Similarly Situated,)
Plaintiffs,)
v.)
ENERGY TRANSFER LP, KELCY L.)
WARREN, JOHN W. MCREYNOLDS,)
THOMAS E. LONG, MARSHALL)
MCCREA, MATTHEW S. RAMSEY,)
MICHAEL J. HENNIGAN, and JOSEPH)
MCGINN)
Defendants.)

**JOINT STIPULATION AND
CASE SCHEDULING ORDER NUMBER 3**

Lead Plaintiffs, consisting of the Allegheny County Employees' Retirement System, Employees' Retirement System of the City of Baton Rouge and Parish of East Baton Rouge, Denver Employees Retirement Plan, IAM National Pension Fund, and Iowa Public Employees' Retirement System (collectively, "Lead Plaintiffs") and Defendants Energy Transfer LP, Kelcy L. Warren, John W. McReynolds, Thomas E. Long, Marshall McCrea, Matthew S. Ramsey, and

Michael J. Hennigan, and Joseph McGinn (“Defendants” and collectively with Lead Plaintiffs, the “Parties”), hereby jointly stipulate and propose as follows:

1. WHEREAS, on March 5, 2020, this Court entered Joint Stipulation and Case Scheduling Order Number 1 (ECF No. 21) establishing, among other things, a deadline for Lead Plaintiffs’ filing of an Operative Complaint and a briefing schedule on any motion(s) to dismiss the Operative Complaint;

2. WHEREAS, on May 1, 2020, this Court entered into Joint Stipulation and Case Scheduling Order Number 2 (ECF No. 38) which, among other things, modified the deadlines for Lead Plaintiffs’ filing of an Operative Complaint and a briefing schedule on any motion(s) to dismiss the Operative Complaint;

3. WHEREAS, in compliance with Joint Stipulation and Case Scheduling Order Number 2, Lead Plaintiffs filed their Operative Complaint on June 15, 2020 (ECF No. 43), Defendants moved to dismiss the Operative Complaint on August 14, 2020 (ECF No. 44) (the “Motion to Dismiss”), and Lead Plaintiffs filed a response in opposition to Defendants’ motion to dismiss on October 5, 2020 (ECF No. 49) (the “Opposition”); and

4. WHEREAS, the Parties agree that a modification to the current October 20, 2020, deadline for filing a reply brief set forth in Joint Stipulation and Case Scheduling Order Number 2 is appropriate;

IT IS HEREBY STIPULATED AND AGREED, by and between the Parties, subject to the Court’s approval, as follows:

1. Defendants shall file their brief in reply to the Opposition and in support of the Motion to Dismiss on or before November 6, 2020.

2. Lead Plaintiffs and Defendants reserve all rights and do not waive any rights through this stipulation, including their rights to seek adjournments or to seek amendments to any page limitations that would apply to any briefs contemplated by this stipulation, or further extensions of the above deadlines for good cause or as may be needed by future developments.

IT IS SO ORDERED:

DATED: October 7, 2020

/s/ Gerald Austin McHugh
HONORABLE GERALD A. McHUGH
UNITED STATES DISTRICT JUDGE

Dated: October 7, 2020

BARRACK, RODOS & BACINE

/s/ Jeffrey W. Golan w/p

Jeffrey W. Golan
Robert A. Hoffman
Jeffrey A. Barrack
3300 Two Commerce Square
2001 Market Street
Philadelphia, PA 19103
Tel: (215) 963-0600
Fax: (215) 963-0838 jgolan@barrack.com
rhoffman@barrack.com
jbarrack@barrack.com

**BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP**

John C. Browne (*pro hac vice*)
Adam H. Wierzbowski (*pro hac vice*)
Michael Mathai (*pro hac vice*)
1251 Avenue of the Americas
New York, NY 10020
Tel: (212) 554-1400
Fax: (212) 554-1444
johnb@blbglaw.com
adam@blbglaw.com
michael.mathai@blbglaw.com

MORGAN, LEWIS & BOCKIUS LLP

/s/ Laura H. McNally

Marc J. Sonnenfeld (No. 17210)
Karen Pieslak Pohlmann (No. 60079)
Laura H. McNally (No. 310658)
Amanda F. Lashner (No. 314443)
1701 Market Street
Philadelphia, PA 19103-2921
Telephone: 215.963.5000
Facsimile: 215.963.5001
marc.sonnenfeld@morganlewis.com
karen.pohlmann@morganlewis.com
laura.mcnally@morganlewis.com
amanda.lashner@morganlewis.com

VINSON & ELKINS LLP

Michael C. Holmes
Jeffrey S. Johnston
Robert Ritchie
William S. Stripling
2001 Ross Ave., Suite 3900
Dallas, TX 75201
Tel: (214) 220-7700
Fax: (214) 999-7923
mholmes@velaw.com
jjohnston@velaw.com
rritchie@velaw.com

Counsel for Defendants